REMARKS

This is in full and timely response to the Office Action mailed on March 5, 2010.

Because June 5, 2010, one month after the mailing of the Decision, falls on a Saturday, the period for response is extended to June 7, 2010, which is the next day that is neither a Saturday, Sunday nor a Federal holiday in the District of Columbia.

Claims 1-14 are currently pending in this application, with claims 1, 2, 7, 8, 11, 12, 13 and 14 being independent.

No new matter has been added.

Reexamination in light of the amendments and the following remarks is respectfully requested.

Claim rejection – 35 U.S.C. §101

i.   Claims 13 and 14 have been amended.

In response to the rejection within paragraph 3 of the Office Action, claims 13 and 14 have been amended.

The Commissioner now states "that *computer programs embodied in a tangible medium, such as floppy diskettes, are patentable subject matter* under 35 U.S.C. Section 101 and must be examined under 35 U.S.C. Sections 102 and 103." *In re Beauregard*, 35 USPQ2d 1383, 1384 (Fed. Cir. 1995).

Withdrawal of this rejection is respectfully requested.

Claim rejection – 35 U.S.C. §102

ii. Claims 1-6

    A. Claim 1 is an independent claim.

Claim 1 is drawn to an image-information recording device, comprising:

image-data identifying means for identifying image data based on predetermined image data units and an image data unit group including the image data units;

image-information obtaining means for obtaining image information regarding the image data from the identified image data; and

image-information recoding means for recording, as image information data, the obtained image information onto a storage medium,

wherein the image information data is managed for each data unit on the storage medium.

    B. Claims 3-6 are dependent upon claim 2.

Claim 2 is drawn to an image-information recording device, comprising:

image-data identifying means for identifying image data based on predetermined image data units and an image data unit group including the image data units;

image-information obtaining means for obtaining image information regarding the image data from the identified image data; and

image-information recoding means for recording, as an image-information file group, the obtained image information onto a storage medium,

wherein the image-information file group is managed for each data unit on the storage medium.

C. U.S. Patent Application Publication No. 2004/0027890 (Nakanishi).

1. Nakanishi _fails_ to disclose, teach, or suggest image-information recoding means for recording, as an image-information file group, the obtained image information onto a storage medium.

Regarding claim 1, page 4 of the Office Action asserts the following:

An image-information recording device (figures 2 and 3), comprising: image-data identifying means (PID identifier, see figure 4 and Paragraph 82) for identifying image data based on predetermined image data units and an image data unit group including the image data units (see figure 4 and Paragraph 82) image-information obtaining means for obtaining image information regarding the image data from the identified image data (Paragraph 82); and image-information recoding means for recording, as image information data, the obtained image information onto a storage medium, wherein the image information data is managed for each data unit on the storage medium (figure 2 shows the information storage).

Regarding claim 2, page 4 of the Office Action asserts the following:

An image-information recording device, comprising: image-data identifying means for identifying image data based on predetermined image data units and an image data unit group including the image data units (PID identifier, see figure 4 and

Paragraph 82); image information obtaining means for obtaining image information regarding the image data from the identified image data (Paragraph 82); and image-information recoding means for recording, as an image-information file group, the obtained image information onto a storage medium, wherein the image-information file group is managed for each data unit on the storage medium (figure 2 shows the information storage).

In response, Figure 4 of Nakanishi is provided hereinbelow.

FIG. 4
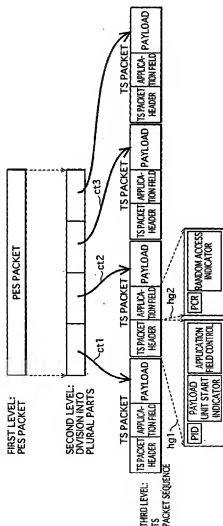
Paragraph [0082] of Nakanishi provides the following:

> [0082] The structure of a ***TS packet header*** is indicated by the arrows "hg1" drawn with broken lines. As indicated by the arrows "hg1", the TS packet header stores a ***"PID (Packet Identifier)" for identifying a video stream*** to which the TS packet belongs, or an audio stream to which the TS packet belongs, and a "payload unit start indicator" for indicating the start location of the PES packet in the payload, and "application field control" for indicating whether an application field follows the TS packet header within the TS packet.

However, Figure 2 of Nakanishi shows a structure (file structure) of the DVD 1 on the file system layer, indicated by arrows drawn with broken lines (Nakanishi at paragraph [0075]).

Paragraph [0077] of Nakanishi provides the following:

> [0077] In the video stream, a minimum unit of decoding is referred to as a "GOP (Group Of Picture)". A GOP includes at least one I picture, and is a collection of pieces of picture data with a playback time period of approximately 1.0 sec. In FIG. 3, the video stream shown at the first level is divided into a plurality of GOPs at the second level. The encoding format used for picture data is a variable-length encoding format, and so the data length differs depending on each GOP. *When data is recorded* onto a DVD, a *GOP sequence is divided* into a plurality of parts regardless of the size of each GOP. *The divided parts are stored in a PES packet sequence shown at the third level*. On the other hand, the audio stream located at the right side of the first level is also divided into a plurality of parts, and the divided parts are stored in the PES packed sequence shown at the third level. As shown at the third level in the figure, PES packets store the divided parts of the video stream and the divided parts of the audio stream. In a header of each PES packet, a "DTS" showing the timing at which the divided part is to be decoded, and a "PTS" showing the

timing at which the decoding result of the divided part is to be displayed are attached.

However, Nakanishi _**fails**_ to disclose, teach, or suggest the "*PID (Packet Identifier)*" as being used to obtain the GOP.

Instead, the PID is for _**identifying a video stream**_ to which the TS packet belongs, or an audio stream to which the TS packet belongs (Nakanishi at paragraph [0082]).

Thus, Nakanishi _**fails**_ to disclose, teach, or suggest image-information recoding means for recording, as an image-information file group, the obtained image information onto a storage medium.

iii. Claims 7-10

A. Claim 7 is an independent claim.

Claim 7 is drawn to an image-information display device, comprising:

> attribute obtaining means for obtaining, with respect to image data identified with predetermined image data units and an image data unit group including the image data units, attributes of image information for the image data from image information data in which the image information is recorded on a storage medium for each image data unit;

> condition inputting means for prompting input of a search condition regarding an attribute of the image information and receiving the input;

> condition searching means for searching the attributes of the image information in accordance with the input search condition;

representative-image obtaining means for obtaining representative images of the image data for the respective image data units from the image information data in accordance with a result of the searching performed by the condition searching means; and

displaying means for displaying a list of the obtained representative images for the respective image data units.

B. Claims 9-10 are dependent upon claim 8.

Claim 8 is drawn to an image-information display device, comprising:

attribute obtaining means for obtaining, with respect to image data identified with predetermined image data units and an image data unit group including the image data units, attributes of image information for the image data from image information data in which the image information is recorded on a storage medium for each image data unit;

condition inputting means for prompting input of a search condition regarding an attribute of the image information and receiving the input;

condition searching means for searching the attributes of the image information in accordance with the input search condition;

representative-image obtaining means for obtaining representative images of the image data for the respective image data units from the image information file group in accordance with a result of the searching performed by the condition searching means; and

displaying means for displaying a list of the obtained representative images for the respective image data units.

C. U.S. Patent Application Publication No. 2004/0027890 (Nakanishi).

Pages 5-6 of the Office Action assert the following:

An image-information display device, comprising: attribute obtaining means for obtaining, with respect to image data identified with predetermined image data units and an image data unit group including the image data units, attributes of image information (figure 8 as shown by arrow hs7) for the image data from image information data in which the image information is recorded on a storage medium for each image data unit; condition inputting means for prompting input of a search condition regarding an attribute of the image information and receiving the input (attributes are required for playback as taught in paragraph and therefore are the condition searching means); condition searching means for searching the attributes of the image information in accordance with the input search condition; condition searching means for searching the attributes of the image information in accordance with the input search condition; representative-image obtaining means for obtaining representative images of the image data for the respective image data units from the image information file group in accordance with a result of the searching performed by the condition searching means; and displaying means for displaying a list of the obtained representative images for the respective image data units (figure 9 and Paragraphs 99).

Figure 8 of Nakanishi is provided hereinbelow.

FIG. 8
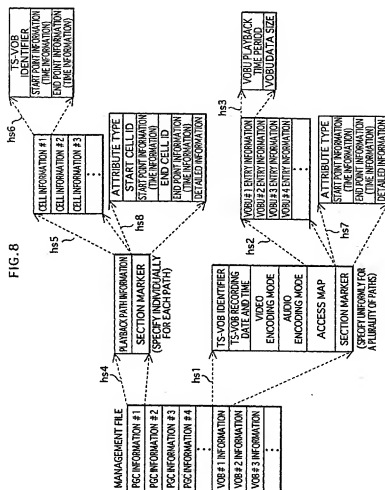
Paragraph [0095] of Nakanishi provides the following:

[0095] Each of these section markers occupies a part of a playback path shown by playback path information. Specifically, the section marker is information for marking a section that is recognized by the recording apparatus 100 as having an extended attribute. The "extended attribute" is an attribute that makes extended

control valid. At the time of playback via a playback path, extended control is to be executed in accordance with the extended attribute, in a section of the playback path specified by the section marker. An internal structure of the section marker set within VOB information is as indicated by the arrows "hs7" drawn with broken lines in FIG. 8. The section marker includes an "attribute type" indicating a type of an extended attribute of an extended attribute section whose location is specified by the section marker, "start point information" that is time information indicating the start point of the extended attribute section in a plurality of playback paths that refer to the TS-VOB, "endpoint information" that is time information indicating the end point of the extended attribute section in a plurality of playback paths that refer to the TS-VOB, and "detailed information" showing details of extended control to be executed in the extended attribute section and a reference used to recognize the extended attribute section.

1. Nakanishi *fails* to disclose, teach, or suggest condition searching means for searching the attributes of the image information in accordance with the input search condition.

Nakanishi is *silent* as to a condition searching means.

2. Nakanishi *fails* to disclose, teach, or suggest condition searching means for searching the attributes of the image information in accordance with the input search condition.

Nakanishi is *silent* as to searching the attributes of the image information in accordance with the input search condition.

3. Nakanishi _fails_ to disclose, teach, or suggest displaying means for displaying a list of the obtained representative images for the respective image data units.

Nakanishi is _**silent**_ as to the display of a list of the obtained representative images.

iv. Claims 11-14

A. Claim 11 is an independent claim.

Claim 11 is drawn to an image-information recording method for an image-information recording device including an image information memory for holding image information for image data and means for recording, as an image-information file group, the image information onto a storage medium, the recording method comprising:

a step of identifying image data based on predetermined image data units and an image data unit group including the image data units;

a step of obtaining image information regarding the image data from the identified image data of the image data unit;

a step of storing the obtained image information in the image information memory; and

a step of recording, as an image information file group, image information in the image information stored in the image information memory onto the storage medium for each image data unit.

B. Claim 12 is an independent claim.

Claim 12 is drawn to an image-information displaying method for an image-information display device including an image information memory for holding image information, the method comprising:

a step of obtaining, with respect to image data identified with predetermined image data units and an image data unit group including the image data units, attributes of image information for the image data from an image-information file group in which the image information is recorded on a storage medium for each image data unit and of holding the attributes in the image information memory;

a step of prompting input of a search condition regarding an attribute of the image information and receiving the input;

a step of searching the attributes held in the image information memory in accordance with the input search condition;

a step of obtaining representative images of the image data for the respective image data units from the image-information file group in accordance with a result of the searching and of holding the representative images in the image information memory; and

a step of displaying a list of the representative images for the respective image data units, the representative images being held in the image information memory.

C. Claim 13 is an independent claim.

Claim 13 is drawn to a program embodied in a tangible computer-readable medium, the program being for an image-information recording device including an image information memory

21

for holding image information for image data and means for recording, as an image-information file group, the image information onto a storage medium, the program causing a computer to execute:

> a step of identifying image data based on predetermined image data units and an image data unit group including the image data units;

> a step of obtaining image information regarding the image data from the identified image data of the image data unit;

> a step of storing the obtained image information in the image information memory; and

> a step of recording, as an image information file group, image information in the image information stored in the image information memory onto the storage medium for each image data unit.

D. Claim 14 is an independent claim.

Claim 14 is drawn to a program embodied in a tangible computer-readable medium, the program being for an image-information display device including an image information memory for holding image information, the program causing a computer to execute:

> a step of obtaining, with respect to image data identified with predetermined image data units and an image data unit group including the image data units, attributes of image information for the image data from an image-information file group in which the image information is recorded on a storage medium for each image data unit and of holding the attributes in the image information memory;

> a step of prompting input of a search condition regarding an attribute of the image information and receiving the input;

a step of searching the attributes held in the image information memory in accordance with the input search condition;

a step of obtaining representative images of the image data for the respective image data units from the image-information file group in accordance with a result of the searching and of holding the representative images in the image information memory; and

a step of displaying a list of the representative images for the respective image data units, the representative images being held in the image information memory.

E. U.S. Patent Application Publication No. 2004/0027890 (Nakanishi).

Page 6 of the Office Action asserts the following:

These are method claims corresponding to claims 1, 2, 7 and 8 respectively. Therefore they are analyzed and rejected based upon claims 1 ,2 , 7 and 8 respectively.

1. The arguments are incorporated by reference.

For the purpose of brevity, the arguments presented hereinabove with respect to claims 1 ,2 , 7 and 8 are incorporated by reference.

Official Notice

There is no concession as to the veracity of Official Notice, if taken in any Office Action.

An affidavit or document should be provided in support of any Official Notice taken. 37 C.F.R. §1.104(d)(2), M.P.E.P. §2144.03. See also, *Ex parte Natale*, 11 USPQ2d 1222, 1227-1228 (Bd. Pat. App. & Int. 1989)(failure to provide any objective evidence to support the challenged use of Official Notice constitutes clear and reversible error).

Extensions of time

Please treat any concurrent or future reply, requiring a petition for an extension of time under 37 C.F.R. §1.136, as incorporating a petition for extension of time for the appropriate length of time.

Fees

The Commissioner is hereby authorized to charge any deficiency in fees filed, asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm).

The Commissioner is hereby authorized to charge all required fees, fees under 37 C.F.R. §1.17, or all required extension of time fees.

If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

Conclusion

This response is believed to be a complete response to the Office Action.

Applicants reserve the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers.

For the foregoing reasons, all the claims now pending in the present application are allowable, and the present application is in condition for allowance.

Accordingly, favorable reexamination and reconsideration of the application in light of the remarks is courteously solicited.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone Brian K. Dutton, Reg. No. 47,255, at 202-955-8753.

Dated: June 7, 2010   Respectfully submitted,

By

Christopher M. Tobin
    Registration No.: 40,290
RADER, FISHMAN & GRAUER PLLC
Correspondence Customer Number: 23353
Attorney for Applicant